

**PERSONAL PAPERS
and
COMMUNICATIONS
PACKAGE**

September 18, 2006

PERSONAL PAPERS

**ADOPTED
AND
ADOPTED
AS AMENDED**

September 18, 2006

06-R-2131

(Do Not Write Above This Line)

A RESOLUTION

BY COUNCILMEMBER ANNE FAUYER

Wanda Hines *Wanda Hines*
Wanda Hines *Wanda Hines*
Wanda Hines *Wanda Hines*

A RESOLUTION TO EXPRESS THE
 SUPPORT OF THE ATLANTA CITY
 COUNCIL FOR ALTERNATIVE B3
 STREETCAR, AS THE LOCALLY
 PREFERRED ALTERNATIVE (LPA) AS
 RECOMMENDED BY THE ATLANTA
 DEVELOPMENT AUTHORITY (ADA) TO
 THE MARTA BOARD; AND FOR OTHER
 PURPOSES.

ADOPTED BY

SEP 18 2006

COUNCIL

Adopted 9-18-06

- ☐ CONSENT REFER
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- ☐ ADVERTISE & REFER
- ☐ 1ST ADOPT 2ND READ & REFER
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FINAL COUNCIL ACTION

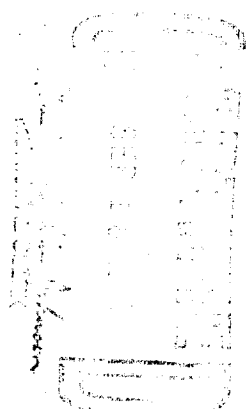
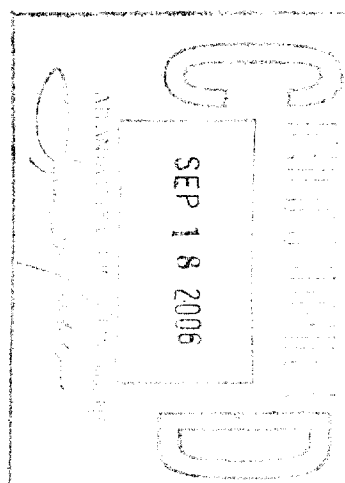
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Readings

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CERTIFIED

SEP 18 2006



MAYOR'S ACTION

06-18-2131

A RESOLUTION

BY COUNCILMEMBER ANNE FAUVER

A RESOLUTION TO EXPRESS THE SUPPORT OF THE ATLANTA CITY COUNCIL FOR ALTERNATIVE B3, STREETCAR, AS THE LOCALLY PREFERRED ALTERNATIVE (LPA) AS RECOMMENDED BY THE ATLANTA DEVELOPMENT AUTHORITY (ADA) TO THE MARTA BOARD; AND FOR OTHER PURPOSES.

WHEREAS, the Atlanta's BeltLine has the unique potential of connecting dozens of neighborhoods via a 22-mile transit loop; and

WHEREAS, MARTA is in the planning process for the transit component of the BeltLine Project; and

WHEREAS, after months of research, planning and evaluation, the Atlanta Development Authority (ADA) has recommended that the MARTA Board select **Alternative B3, Streetcar** as the Locally Preferred Alternative (LPA); and

WHEREAS, ADA's recommendation of the Modern Streetcar is based on (1) a strong preference for rail-based transit by the community based on public input, (2) a better response from the private business sector because of the permanent nature of rail infrastructure, and (3) the clean and quiet operations provided by the streetcar technology.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

SECTION 1: That the Atlanta City Council expresses its strong support for **Alternative B3, Streetcar** as the Locally Preferred Alternative (LPA) as recommended by the Atlanta Development Authority (ADA) to the MARTA Board.

SECTION 2: That the Municipal Clerk is hereby directed to forward a copy of this resolution to all members of the MARTA Board.

SECTION 3: That all resolutions and parts of resolutions in conflict herewith are hereby repealed for purposes of the resolutions only, and only to the extent of the conflict.

#2

06-R-2132

(Do Not Write Above This Line)

A RESOLUTION
BY COUNCILMEMBER *Way D. Wood*
MARY NORWOOD

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ACCEPT THE ASSIGNMENT OF A REVISED CONTRACT WITH SAMARITAN HOUSE, INC. TO SAMARITAN HOUSE CLEAN STREET TEAM, INC., AND TO ENTER AN AGREEMENT WITH SIMILAR TERMS AND CONDITIONS AS FC-6004007867, LITTER CLEAN UP PROGRAM, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED (\$300,000.00) AND FOR OTHER PURPOSES.

ADOPTED BY
SEP 18 2006

Adopted
9-18-06
COUNCIL

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FINAL COUNCIL ACTION

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CERTIFIED

SEP 18 2006

Way D. Wood
Mayor

MAYOR'S ACTION

**A RESOLUTION
BY COUNCILMEMBER MARY NORWOOD**



**A RESOLUTION AUTHORIZING THE MAYOR OR HER
DESIGNEE TO ACCEPT THE ASSIGNMENT OF A REVISED
CONTRACT WITH SAMARITAN HOUSE, INC. TO SAMARITAN
HOUSE CLEAN STREET TEAM, INC., AND TO ENTER AN
AGREEMENT WITH SIMILAR TERMS AND CONDITIONS AS
FC-6004007867, LITTER CLEAN UP PROGRAM, ON BEHALF OF
THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT
TO EXCEED (\$300,000.00); AND FOR OTHER PURPOSES.**

WHEREAS, Resolution 06-R-1327, adopted by the City Council on July 5, 2006, authorized the Mayor to enter into a revised agreement with Samaritan House of Atlanta, Inc. ("Samaritan House") for the removal of litter within the City limits, in an amount not to exceed three hundred thousand dollars and no cents (\$300,000.00); and

WHEREAS, on or about March 29, 2006, Samaritan House Inc., created a new 501(c)(3) entity called the Samaritan House Clean Street Team ("Clean Street Team"), for the sole purpose of carrying out its rights and obligations under the anticipated revised contract; and

WHEREAS, Samaritan House Inc., did not notify the City that it wished to assign its rights and obligations under the contract to the Clean Street Team prior to the passage of Resolution 06-R-1327 which authorized execution of a contract with Samaritan House, Inc.; and

WHEREAS, all terms, conditions, rights and obligations as outlined in the revised contract with Samaritan House will remain the same for the Clean Street Team; and

WHEREAS, the City is satisfied with the work performed by Samaritan House and has deemed the assignment to the Clean Street Team acceptable under the contract, and desires to enter into a revised contract with the Clean Street Team in an amount not to exceed three hundred thousand dollars and no cents (\$300,000.00) to be charged to and paid from Fund Account and Center number 1A01 524001 M38101.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES, that the Mayor is hereby authorized to enter into a revised contract with Samaritan House Clean Street Team, Inc. for the removal of litter within the city limits, in an amount not to exceed three hundred thousand dollars and no cents (\$300,000.00).

BE IT FURTHER RESOLVED, that all contracted work shall be charged to and paid from Fund Account and Center number 1A01 524001 M38101.

BE IT FURTHER RESOLVED, that the City Attorney be and is hereby directed to prepare the appropriate contractual agreement for execution by the Mayor, to be



approved by the City Attorney as to form, and that said contractual agreement shall not become binding upon the City and the City shall incur no liability upon the same until such contract has been executed by the Mayor, attested to by the Municipal Clerk, and delivered to the contracting parties.

#3

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A RESOLUTION

BY: COUNCILMEMBER CEASAR MITCHELL

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ESTABLISH A TRUST FUND ACCOUNT AND SUB-ACCOUNTS FOR ALL CURENT AND FUTURE COMMUNITY PROJECTS SPONSORED BY AT LARGE POST 1 COUNCILMEMBER CEASAR MITCHELL, SO AS TO ALLOW THE CITY OF ATLANTA TO ACCEPT FUNDS ON BEHALF OF ALL CURRENT AND FUTURE COMMUNITY PROJECTS SPONSORED BY AT LARGE POST 1 COUNCILMEMBER CEASAR MITCHELL; TO PROVIDE FOR THE ADMINISTRATION AND EXPENDITURE OF FUNDS FROM THE DESIGNATED TRUST FUND ACCOUNT AND SUB-ACCOUNTS ON BEHALF OF COMMUNITY PROJECTS SPONSORED BY AT LARGE POST 1 COUNCILMEMBER CEASAR MITCHELL; AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 18 2006

COUNCIL

Adopted 9-18-06

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SEP 18 2006

MAYOR'S ACTION

A RESOLUTION


BY: COUNCILMEMBER CEASAR MITCHELL

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ESTABLISH A TRUST FUND ACCOUNT AND SUB-ACCOUNTS FOR ALL CURENT AND FUTURE COMMUNITY PROJECTS SPONSORED BY AT LARGE POST 1 COUNCILMEMBER CEASAR MITCHELL, SO AS TO ALLOW THE CITY OF ATLANTA TO ACCEPT FUNDS ON BEHALF OF ALL CURRENT AND FUTURE COMMUNITY PROJECTS SPONSORED BY AT LARGE POST 1 COUNCILMEMBER CEASAR MITCHELL; TO PROVIDE FOR THE ADMINISTRATION AND EXPENDITURE OF FUNDS FROM THE DESIGNATED TRUST FUND ACCOUNT AND SUB-ACCOUNTS ON BEHALF OF COMMUNITY PROJECTS SPONSORED BY AT LARGE POST 1 COUNCILMEMBER CEASAR MITCHELL; AND FOR OTHER PURPOSES.

WHEREAS, the At Large Post 1 Councilmember Ceasar Mitchell has established several community projects designed to support the community, including the SAT Prep Day, Georgia Aquarium Senior Day, Public Safety Appreciation Banquet and Lifestyle 101; and

WHEREAS, the At Large District 1 Councilmember Ceasar Mitchell desires to receive sponsorship support of current referenced and future community projects ; and

WHEREAS, funding for these community projects will be coming to the City of Atlanta from various sources; and

WHEREAS, a City of Atlanta trust fund account needs to be established for collection and expenditure of these funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA:

SECTION 1: That the Chief Financial Officer is authorized to establish a trust fund account and sub-accounts on behalf of all current and future At Large Post 1 Councilmember Ceasar Mitchell Community Projects into which all funds received and/or collected on behalf of all current and future At Large Post 1 Councilmember Ceasar Mitchell Community Projects shall be deposited. All expenses of all current and future At Large Post 1 Councilmember Ceasar Mitchell Community Projects shall be paid from this designated trust fund account and sub-accounts, such expense amount payments not to exceed the funds received, collected and deposited into the trust fund account and sub-accounts.

SECTION 2: That the Chief Financial Officer is hereby authorized to account for these funds within the trust fund account and sub-accounts designated for this purpose.

#4

06-R-2134

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A RESOLUTION
BY COUNCIL MEMBER JOYCE SHEPHERD
A RESOLUTION TO ESTABLISH A
CODE COMPLIANCE TASK FORCE; AND
FOR OTHER PURPOSES.

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ADOPTED BY

SEP 18 2006

COUNCIL

ADOPTED 9-18-06

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FINAL COUNCIL ACTION

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CERTIFIED

SEP 18 2006

MAYOR'S ACTION

Clifford
Felicia Moore
Atlanta Architect
Handwritten signatures
CITY COUNCIL
ATLANTA, GEORGIA
08-1R-2134
A RESOLUTION

BY COUNCILMEMBER JOYCE SHEPERD

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A RESOLUTION TO ESTABLISH A CODE COMPLIANCE TASK FORCE;
AND FOR OTHER PURPOSES.

WHEREAS, the problem of code violations still exists in varying degrees throughout the City of Atlanta; and

WHEREAS, there are numerous citizen complaints about overgrown lots, dilapidated houses, junk cars and various other code compliance violations; and

WHEREAS, through the efforts of Councilperson Joyce Sheperd the Neighborhood Deputy Program has been re-activated and re-funded; and

WHEREAS, the City of Atlanta still has a big challenge on hand to deal with the ever growing problem of code violations; and

WHEREAS, the collective quality of life in the City of Atlanta is decreased by the destructions caused by code violations; and


WHEREAS, it is in the public interest of the City of Atlanta to pursue vigorous code enforcement and re-write and improve the current code enforcement legislation; and

WHEREAS, the City Council desires to create a Code Compliance Task Force to identify steps and actions that the City of Atlanta can take to improve the city's code enforcement.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That a Code Compliance Task Force is hereby created with ten (10) members to be appointed as follows:

- a. Director of Code Compliance or his designee
- b. A city attorney designated by Atlanta City Attorney
- c. One member appointed by APAB
- d. One member from the Neighborhood Deputy Program
- e. A staff person designated by the Police Chief
- f. A staff person designated by the Commissioner of Public Works
- g. A staff person in Zoning to be designated by the Commissioner of Planning and Community Development

- 
- h. A staff person from the City Courts/ Community Prosecutor
 - i. One member appointed by AHA
 - j. A representative from Atlanta Clean City Commission

SECTION 2: That the Task Force will study ways to enhance the city's code enforcement and suggest language to improve the existing City Code governing code violations.

SECTION 3: That the Task Force will present a study with recommendations via a report to the Mayor and City Council no later than December 31, 2006, effectively ending the duty of the Task Force.

SECTION 4: All resolutions and parts of resolutions in conflict herewith are hereby repealed for purposes of the resolutions only, and only to the extent of the conflict.

PERSONAL PAPERS

REFERRED

September 18, 2006

#5

06-02135

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AN ORDINANCE

BY: COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO PLACE A MORATORIUM ON THE ACCEPTANCE OF ALL BUILDING PERMIT APPLICATIONS WHICH INCLUDE CONTEMPLATION OF THE USE OF SEPTIC TANKS OR OTHER SIMILAR CONSUMPTIVE SEWERAGE DISPOSAL SYSTEMS ALTERNATIVE TO THE CITY'S SEWERAGE SYSTEM FOR A PERIOD NOT TO EXCEED ONE HUNDRED AND TWENTY (120) DAYS OR THE ADOPTION OF LEGISLATION THAT REQUIRES PROPERTIES TO UTILIZE THE CITY'S PUBLIC SEWER SYSTEM WHERE SEWER IS AVAILABLE, WHICHEVER OCCURS FIRST, AND FOR OTHER PURPOSES

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MAYOR'S ACTION

BY: COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO PLACE A MORATORIUM ON THE ACCEPTANCE OF ALL BUILDING PERMIT APPLICATIONS WHICH INCLUDE CONTEMPLATION OF THE USE OF SEPTIC TANKS OR OTHER SIMILAR CONSUMPTIVE SEWERAGE DISPOSAL SYSTEMS ALTERNATIVE TO THE CITY'S SEWERAGE SYSTEM FOR A PERIOD NOT TO EXCEED ONE HUNDRED AND TWENTY (120) DAYS OR THE ADOPTION OF LEGISLATION THAT REQUIRES PROPERTIES TO UTILIZE THE CITY'S PUBLIC SEWER SYSTEM WHERE SEWER IS AVAILABLE, WHICHEVER OCCURS FIRST, AND FOR OTHER PURPOSES

WHEREAS, the City of Atlanta ("City") provides sewer services to its citizens throughout areas of the City by and through its sewer system ("Sewer System"), making sewer services generally available throughout the City; and

WHEREAS, a number of building applications are submitted to the City for consideration on a daily basis that contemplate the use of septic systems as a means of sewerage disposal in areas where the City's sewer service is available; and

WHEREAS, the process of collecting and treating sewerage in the City's Sewer System results in the return of treated water to the original source of water, thereby, replenishing the water that was consumed by the respective water users; and

WHEREAS, septic systems are considered a 100% consumptive use of water supply, because such systems do not effectively return water to the water source, but, rather, waste water into the ground; and

WHEREAS, the City of Atlanta joins other jurisdictions in the metropolitan Atlanta area in desiring to promote the conservation of water to ensure that sufficient water supply is available to its customers and citizens in the future in furtherance of the general health, safety and welfare of its citizens; and

WHEREAS, based upon the goal of water conservation, the City has reviewed information and data relating to septic systems and determined that the addition of septic systems may have a material negative impact on the City's conservation efforts and future water supply; and

WHEREAS, from time to time septic systems fail if not properly maintained. Such failure poses a great threat to the health, safety and welfare of the City's citizens, which may result in the seepage of raw sewerage into ground water and eventually

pollute valuable streams, rivers and water sources in the City and threaten natural habitats occurring in those waterways; and

WHEREAS, other jurisdictions in the metropolitan area, in furtherance of water supply conservation and water quality protection goals, have approved ordinances to require property owners to utilize public sewer services; and

WHEREAS, based upon these findings and in furtherance of the considerations discussed above, the City desires to develop legislation ("Sewer Requirement Legislation") that requires individuals to utilize the City's Sewer System in lieu of septic systems and desires to halt acceptance of any future building permit applications that contemplate the use of a septic system in order to prevent any further exacerbation or deterioration to the City's water supply and water quality; and

NOW THEREFORE BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:

Section 1. That a moratorium on the acceptance of any building permit application that contemplates the use of a septic system or other similar consumptive sewerage disposal systems alternative to the City's Sewerage System be implemented for a period not to exceed one hundred and twenty (120) days or the adoption of the proposed Sewer Requirement Legislation, whichever occurs first.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance shall be waived to the extent of the conflict.

#2

06-18-2136

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A RESOLUTION

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BY: COUNCILMEMBER HOWARD SHOOK

A RESOLUTION TO APPOINT CHERYL ALLEN, CPA, TO THE CITY OF ATLANTA AUDIT COMMITTEE AS ONE OF THE THREE AT-LARGE MEMBERS APPOINTED BY THE ENTIRE CITY COUNCIL, FOR A TERM OF THREE (3) YEARS, SAID TERM TO BEGIN UPON THE APPROVAL OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

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FINAL COUNCIL ACTION
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MAYOR'S ACTION

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A RESOLUTION

BY COUNCILMEMBER HOWARD SHOOK

A RESOLUTION TO APPOINT DR. CHERYL ALLEN, CPA, TO THE CITY OF ATLANTA AUDIT COMMITTEE AS ONE OF THE THREE AT- LARGE MEMBERS APPOINTED BY THE ENTIRE CITY COUNCIL, FOR A TERM OF THREE (3) YEARS, SAID TERM TO BEGIN UPON THE APPROVAL OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Audit Committee was established by the 1996 Charter of the City of Atlanta, Georgia; and

WHEREAS, the Audit Committee is comprised of five voting members who shall include the mayor or mayor's appointee, the president of the council or the president's appointee, and three at-large members appointed by the entire city council; and

WHEREAS, one of the three at-large positions is currently vacant; and

WHEREAS, Dr. Allen meets the qualifications to serve on the Audit Committee, in that she is a certified public accountant and a resident of the City of Atlanta. A copy of her resume is attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Dr. Cheryl Allen, CPA, is hereby appointed to the City of Atlanta Audit Committee as one of the three at-large members appointed by the entire city council, for a term of three (3) years, said term to begin upon the approval of this Resolution.

Licensee Information**Name:** Cheryl Lynn Allen**Address:** 1337 Thurgood Street

Atlanta GA 30314

License Information**Profession:**Accountancy **License No:** CPA009207 **License Status:** Active**License Type:** Certified Public Accountant **Obtained By Method:** Conversion **From State/Prov:****Issue Date:** 5/7/1987 **Expiration Date:** 12/31/2007**Discipline Information**

No Discipline Information

No scanned public board order documents exist.

Associated Licenses

No Associated License Information Available

You may close this window to return to your search results

Data current as of: September 13, 2006 10:27:37

Cheryl Lynn Allen, Ph.D., CPA
Associate Professor, Accounting
Morehouse College

Professional Experience:

- Auditor, Ernst & Young, CPA's, Atlanta, Georgia, 1983-1988.
- Accounting Consultant, Historic District Development Corporation, 2002 - 2004
- Business Strategy Consultant, Franklin Pontiac GMC Truck, Franklin, Tennessee, 1999 – Present.
- Business Strategy Consultant, Southlake Buick Volvo Subaru Atlanta, Georgia, 1993– 1999.
- Accounting Consultant, Atlanta Neighborhood Development Corporation, 1990-1992.
- Program Consultant, Department of Transportation, Summers, 1989 and 1990.

Education:

- Ph.D. degree in Business Administration (concentration in Accounting) The University of Georgia, 1998: **Dissertation:** The Perceived Benefit of An Accounting Education for Students Choosing 150-Hour Programs.
- Master's degree in Business Administration (concentration in Accounting) Clark-Atlanta University (Atlanta University), 1983.
- Bachelor's degree in Business Administration (concentration in Accounting) Clark-Atlanta University (Clark College), 1981. Magna Cum Laude.

Affiliations and Professional Titles:

- American Accounting Association.
- America Institute of Certified Public Accountants.
- Beta Gamma Sigma Honor Society, 2006
- Omicron Delta Kappa Leadership Fraternity, 2006
- Beta Alpha Psi, The National Accounting Fraternity, 1998.
- Clark-Atlanta University Alumni Association
- CPA (Georgia, 1986).

Academic	Associate Professor, Division of Business Administration and Economics
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Experience: Accounting Auditing, Advanced	Morehouse College, 2006 - present: Courses taught: Financial Principles; Managerial Accounting Principles, Accounting
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Economics Financial Accounting Principles, Auditing, Advanced	Assistant Professor, Division of Business Administration and Morehouse College, 1998 - 2005 Courses taught: Principles; Managerial Accounting Accounting
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Principles of	Teaching Assistant, J.M., Tull School of Accounting, The University of Georgia, 1992 - 1998. Courses taught: Accounting I and II
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Cheryl L. Allen, Ph.D., CPA
Associate Professor Accounting,
Morehouse College

Dr. Cheryl L. Allen is an Associate Professor of Accounting at Morehouse College in Atlanta, Georgia. Dr. earned her Ph.D. in accounting from the University of Georgia, and her MBA and B.A. in accounting from Clark-Atlanta University. She spent five years with the public accounting firm, Ernst and Whinney CPAs (now Ernst and Young CPAs) in the Atlanta office, and is certified as a CPA in the state of Georgia. Dr. Allen serves on several college-wide and departmental committees. She is a member of the Board of Directors of Morehouse College. Additionally, she is faculty advisor to the student chapter of the National Association of Black Accountants (NABA), a former advisor to The National Association of Collegiate Scholars, and has served as a faculty ambassador for the Morehouse International Spring Tour for nine tours. Dr. Allen's service to the profession includes a three-year appointment to the Minority Initiatives Committee for the American Institute of Certified Public Accountants (AICPA), serving as the chair of the faculty subcommittee for two of the three years, and most recently elected president and council representative for the Diversity Section of the American Accounting Association, the national association of accounting academics. Dr. Allen's past community service includes her service on the Board of Director of the Sweet Auburn Curb Market, financial advisor to the Southside Community Development Corporation, and financial consultant to the Atlanta Committee for Public Education.

Professor Allen's research interest is in Accounting Education and Pedagogy and Accounting Policy. She has presented her research at national and regional conferences. Her research on these topics is published in the *Journal of Accounting and Finance Research*, *The Managerial Auditing Journal*, and *The Accounting Historians Journal*. She has also contributed accounting articles to the educational newsletters of AAA and the AICPA. Dr. Allen is a charter member of the African-American Accounting Doctoral Association (now AHNADA) founded and sponsored by the accounting firm KPMG and the Ph.D. Project, and an AICPA Doctoral Fellow. She is a member of the American Institute of Certified Public Accountants and Beta Alpha Psi, the national accounting fraternity. Dr. Allen is a native of Chattanooga, Tennessee and the fourth of five children born to Dr. Oscar and Elizabeth Allen who are both retired educators from the Chattanooga Public School System.

#4

06-2137

(Do Not Write Above This Line)

AN ORDINANCE BY:

Paul Skel

COUNCIL MEMBER HOWARD SHOOK

AN ORDINANCE TO ABOLISH THE TERM LIMIT FOR PERSONS SERVING ON ANY CITY BOARD OR COMMISSION; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred *9-18-06*

Referred To: *City Utilities Dept*

Date Referred *Committee on Council*

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

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Fav, Adv, Hold (see rev. side)
Other

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Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
- ☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION

AN ORDINANCE
BY: COUNCIL MEMBER HOWARD SHOOK

AN ORDINANCE TO ABOLISH THE TERM LIMIT FOR PERSONS SERVING ON ANY CITY BOARD OR COMMISSION; AND FOR OTHER PURPOSES.

WHEREAS, there is currently a term limit for members serving on any city created board or commission, as stated in Section 2-1854 (a) and (b) of the Code of Ordinances, which reads:

“Sec. 2-1854. Terms of office for appointments to boards and commissions.

(a) All persons appointed to any commission, council or board created and confirmed by the council, whether such appointments and confirmations occurred before or after the enactment of the ordinance from which this section derives, shall be limited in consecutive years of service as set forth in this section; however, this limitation shall not apply to elected officials of the city. Persons who are already serving on any city commission, council or board may serve on any other city commission, council or board, not to exceed three commissions, councils or boards, subject to confirmation by the council.

(b) The terms of office, as established in the applicable Code section for each board and commission, and the maximum number of terms or consecutive years of service shall be as follows:

Term of Office (years)	Maximum Number of Terms or Consecutive Years of Service
1	8 years
2	4 full terms
3	3 full terms
4	2 full terms
5	1 full term
6	1 full term”

WHEREAS, the Atlanta City Council wishes to abolish the term limit for serving on all city boards and commissions so that long-time members can continue to serve and benefit the boards/commissions with their extensive knowledge and experience.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

SECTION 1: That Section 2-1854 (a) and (b) of the Code of Ordinances are hereby **deleted** in their entirety and the old Section 2-1854 (c) is **re-numbered** to Section 2-1854 (a).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed for purposes of the ordinance only, and only to the extent of the conflict.

06-0-2138

(Do Not Write Above This Line)

AN ORDINANCE

By Council Member Kwanza Hall

AN ORDINANCE AUTHORIZING THE
MAYOR TO ENTER INTO AN
AGREEMENT BETWEEN
AMERICASMART REAL ESTATE, LLC,
URBAN LAND, LLC, AND THE CITY OF
ATLANTA FOR THE ERECTION OF
SEVEN PEDESTRIAN BRIDGES AT A
SPECIFIED AIRSPACE RENTAL RATE;
AND FOR OTHER PURPOSES

First Reading

Committee _____
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Chair _____
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Committee

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Fav, Adv, Hold (see rev. side)

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Fav, Adv, Hold (see rev. side)

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Committee

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Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

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Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Date Referred 9-18-06

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION

AN ORDINANCE BY
COUNCILMEMBER KWANZA HALL

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06-0-2138

06-O-

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN AMERICASMART REAL ESTATE, LLC, URBAN LAND, LLC, AND THE CITY OF ATLANTA FOR THE ERECTION OF SEVEN PEDESTRIAN BRIDGES AT A SPECIFIED AIRSPACE RENTAL RATE; AND FOR OTHER PURPOSES

WHEREAS, Ordinance 06-O-0559, adopted by the City Council on May 1, 2006, authorized the Mayor or her designee to enter into an agreement with AmericasMart Real Estate, LLC and Urban Land, LLC, to construct seven pedestrian bridges over Harris Street, between Williams Street and Spring Street, connecting their respective properties; and

WHEREAS, Section 3 of Ordinance 06-O-0559 requires the Developer to pay a monthly rental fee for the space occupied by the bridges in accordance with Section 138-25(b)(3) of the Code of Ordinances; and

WHEREAS, Section 138-25(b)(3) provides that the monthly rental fee for the airspace occupied by bridges shall be determined by the council, on a per-cubic-foot basis, which shall be subject to change from time to time by ordinance; and

WHEREAS, no fee for the monthly rental of airspace occupied by bridges has yet been established and the Law Department has been unable to prepare a final agreement that includes the airspace rental fee for the 83,590 cubic feet to be paid by the Developer; and

WHEREAS, there is historical evidence that previous bridge agreements have imposed a three cent per cubic foot rental rate; and

WHEREAS, the Developer has met all remaining requirements of Section 138-25 of the Code, and cannot move forward with building the bridges unless a final agreement between the parties has been executed.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the City Council hereby sets the monthly rental rate for the purpose of the execution of the agreement between AmericasMart Real Estate, LLC and Urban Land, LLC, and the City of Atlanta, at three cents per cubic foot per month, unless and until a new Ordinance is adopted to change said rate.

SECTION 2: That the City Attorney is hereby directed to prepare an appropriate bridge agreement for execution by the Mayor, reflecting the monthly airspace rental rate at three cents per cubic foot.

SECTION 3: That the Developer retains its obligation to obtain all other permits, including building permits, insurance on said bridges, and to abide by all other requirements of the City's Code of Ordinances, as previously ordained by City Council pursuant to Ordinance 06-O-0559.

06- R-2139

(Do Not Write Above This Line)

A Resolution
By: Councilmember Anne Fauver

A Resolution Requesting
that the Director of the
Bureau of Planning Assist
the Virginia Highland Civic
Association and their
consultants in the
preparation of a
Neighborhood Commercial
(NC) District for Virginia-
Highlands and for other
Purposes.

NPU-F COUNCIL DISTRICT 6

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred Sept 18, 2006

Referred To: CB/HJR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
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Referred To _____

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Fav, Adv, Hold (see rev. side)
Other

Members

Committee

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Fav, Adv, Hold (see rev. side)
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Fav, Adv, Hold (see rev. side)
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Fav, Adv, Hold (see rev. side)
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CERTIFIED

- FINAL COUNCIL ACTION
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Readings
☐ Consent ☐ V Vote ☐ RC Vote

MAYOR'S ACTION

CITY COUNCIL
ATLANTA, GEORGIA

A Resolution

By: Councilmember Anne Fauver



A Resolution Requesting that the Director of the Bureau of Planning Assist the Virginia – Highlands Civic Association and their consultants in the preparation of a Neighborhood Commercial (NC) District for Virginia-Highlands and for other Purposes.

NPU-F

COUNCIL DISTRICT 6

WHEREAS, the 1982 City of Atlanta Zoning Ordinance, Chapter 32, NC Neighborhood Commercial District Regulations, contemplates that New neighborhood Commercial Districts may be created from time to time; and

WHEREAS, the Virginia-Highlands Civic Association believes that the three (3) commercially zoned nodes centered on the intersection of Virginia Avenue and North Highland Avenue, the intersection of North Highland Avenue and Amsterdam Avenue; and the intersection of North Highland Avenue and Greenwood and St. Charles Avenues meet the applicable criteria for designation as Neighborhood Commercial Districts; and

WHEREAS, the Virginia-Highlands Civic Association believes that both the neighborhood business community and the surrounding residential areas will benefit from a designation to a Neighborhood Commercial (NC) District; and

WHEREAS, the Virginia-Highland Civic Association has engaged the services of professional consultants to assist them in the preparation of appropriate regulations for a Neighborhood Commercial District; and

WHEREAS, The Virginia-Highlands Civic Association has begun a public discussion process with all stakeholders in the community in an effort to achieve a consensus on this proposal; and

WHEREAS, the Virginia-Highlands Civic Association believes that the success of this effort requires the active assistance of the City of Atlanta Bureau of Planning.

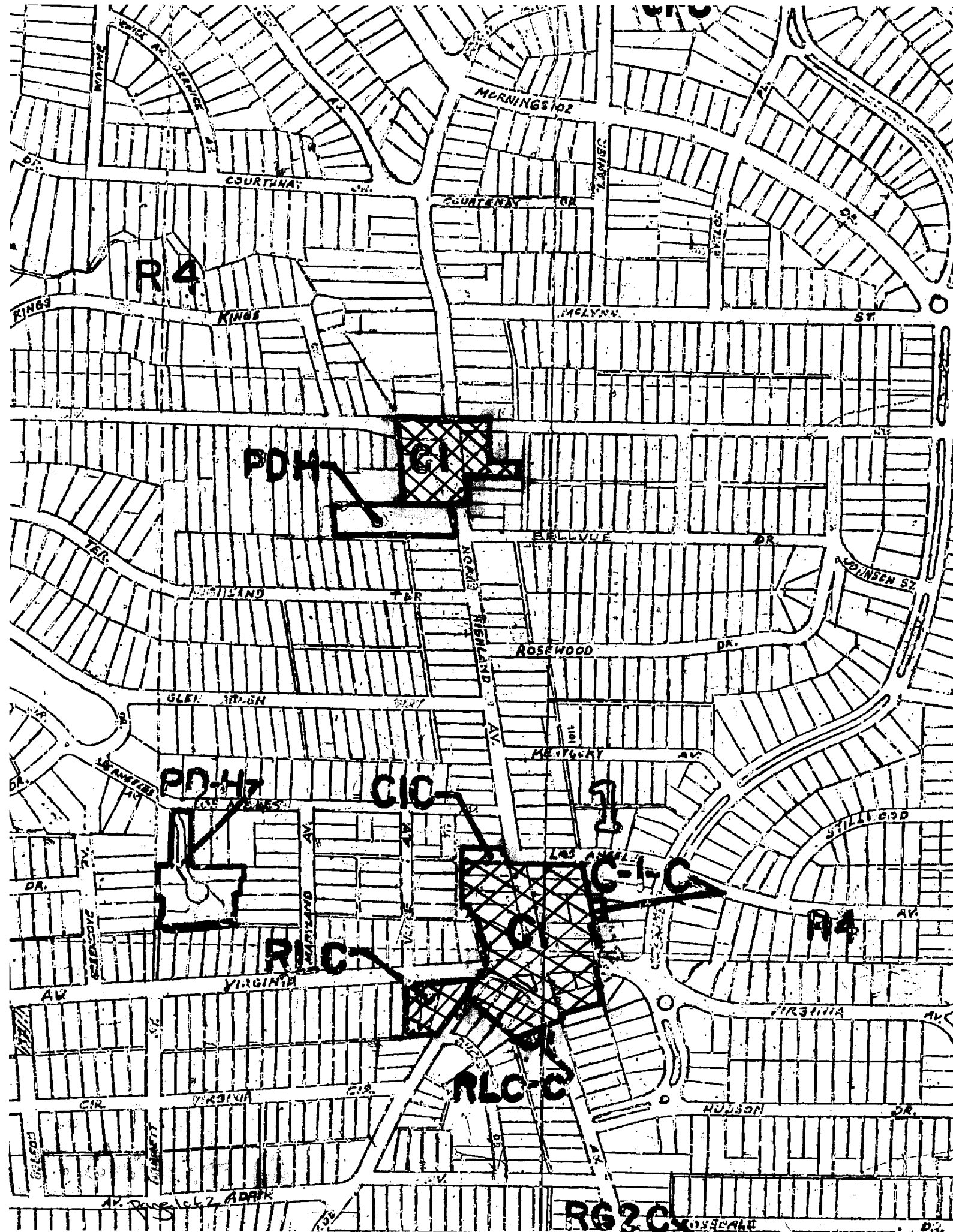
NOW, therefore, be it resolved by the City of Atlanta City Council as follows:

SECTION 1. That the City of Atlanta Bureau of Planning assist the Virginia-Highlands Civic Association and their consultants in the preparation of appropriate regulations for a Virginia-Highlands Neighborhood Commercial (NC) District to be applicable generally within the boundaries shown on the map

attached as Exhibit A. Said boundaries are indicated herein as a guide and may be subject to modification in the course of preparation of the regulations.

SECTION 2. That under the provisions of Section 16-32.003, nominations, recommendations and legislation establishing boundaries; specific regulations for individual neighborhood commercial districts, of the 1982 City of Atlanta Zoning Ordinance, the Bureau of Planning prepare a recommendation to the Zoning Committee of City Council as to the disposition of the proposed Virginia-Highlands Neighborhood Commercial (NC) District regulations at such time as they are completed and subsequent to review by the Bureau of Planning.

SECTION 3. That all resolutions, or parts of resolutions, in conflict with this resolution are hereby repealed.



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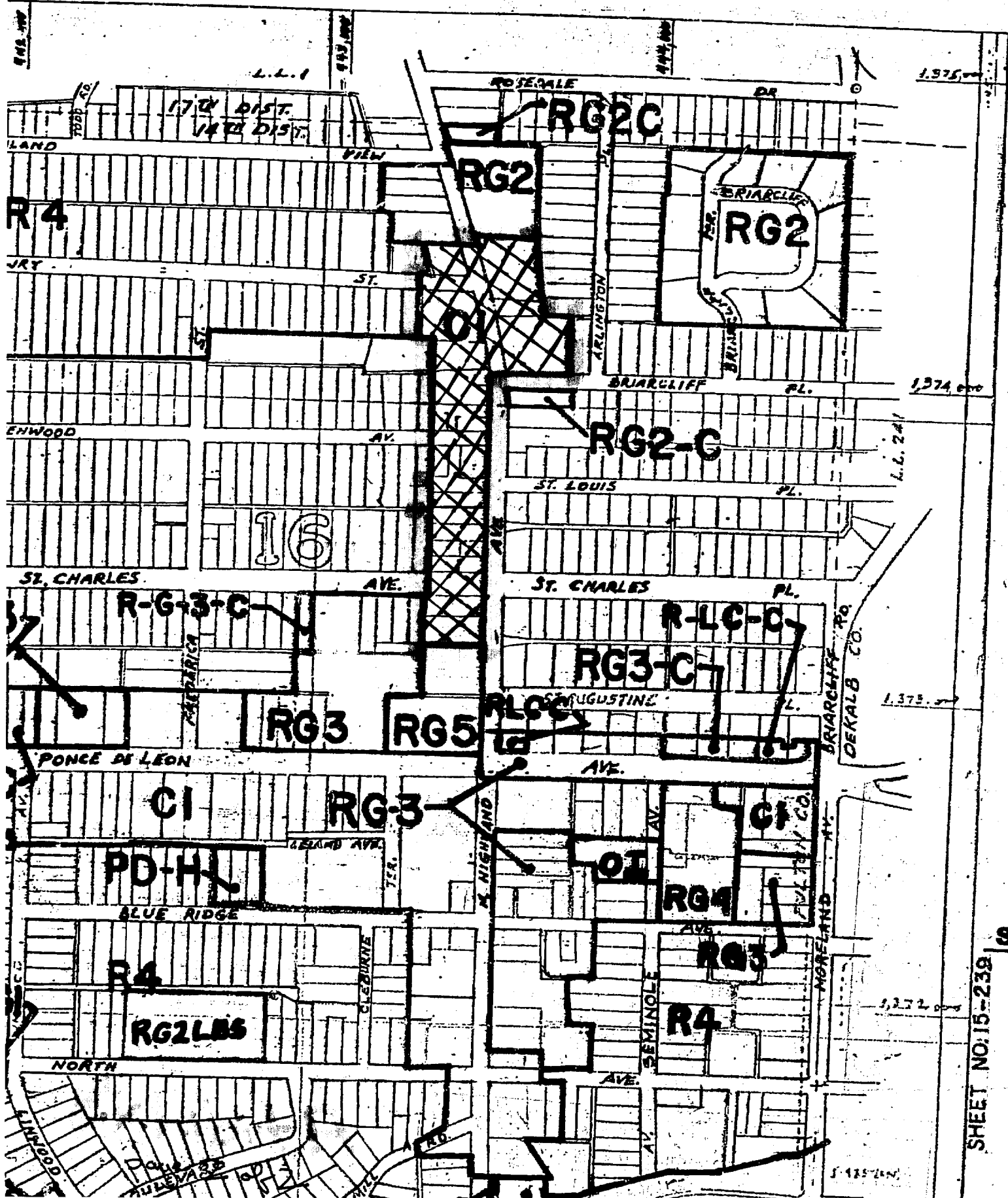
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SHEET NO. 17-1



SHEET NO. 15-238

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06-0-2140

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AAN ORDINANCE

Councilmember Anne Fauver

An Ordinance to make the left side of 15th Street, NE (between Peachtree Street and 485 feet east of Peachtree Street a "No Parking Tow away" Zone; to remove the existing two hour parking signs from the south side of 15th Street; and for other purposes

First Reading

Committee _____
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Fav, Adv, Hold (see rev. side)

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Action

Fav, Adv, Hold (see rev. side)

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FINAL COUNCIL ACTION

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☐ 3rd

Readings

☐ Consent

☐ V Vote

☐ RC Vote

MAYOR'S ACTION

☐ CONSENT REFER

☐ REGULAR REPORT REFER

☐ ADVERTISE & REFER

☐ 1st ADOPT 2nd READ & REFER

☒ PERSONAL PAPER REFER

Date Referred

Sept 18, 2006

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

AN ORDINANCE

Councilmember Anne Fauver

An Ordinance to make the left side of 15th Street, NE (between Peachtree Street and 485 feet east of Peachtree Street) a "No Parking Tow away" Zone; to remove the existing two hour parking signs from the south side of 15th Street; and for other purposes

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA GEORGIA as follows:

Section 1: That the south side of 15th Street, N.E. between Peachtree Street and 485 feet east of Peachtree Street be made a "No Parking -Tow Away" zone.

Section 2: That the existing two-hour parking signs on the south side of 15th Street to Yonah Drive be removed and make it an Ansley Park Permit Parking zone.

Section 3: That the Department of Public Works, Office of Transportation install the appropriate signage to implement this ordinance.

Section 4: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

06- R-2141

(Do Not Write Above This Line)

A RESOLUTION

Councilmember Anne Fauver

A Resolution to support HR 1059 the Military Readiness Act that will replace the current "Don't Ask, Don't Tell" Policy with a policy of nondiscrimination based on sexual orientation; to respectfully urge the Congress of the United States to pass, and the President to sign the Military Readiness Enhancement Act; and for other purposes

First Reading

Committee _____
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Fav, Adv, Hold (see rev. side)
Other _____

Members _____

MAYOR'S ACTION

CERTIFIED

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred Sept 18, 2006

Referred To: Finance / Executive

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

A RESOLUTION



Councilmember Anne Fauver

A Resolution to support **HR 1059 the Military Readiness Act** that will replace the current "Don't Ask, Don't Tell" Policy with a policy of nondiscrimination based on sexual orientation; to respectfully urge the Congress of the United States to pass, and the President to sign the Military Readiness Enhancement Act; and for other purposes

WHEREAS, in 1993 Congress passed and the President signed the National Defense Authorization Act of 1994 (Public Law 103-160), that created the "Don't Ask, Don't Tell" policy; and

WHEREAS, members of the gay community have served honorably in the Armed Forces throughout United States history and continue to serve with distinction on active duty, including in Iraq and Afghanistan; and

WHEREAS, Representative Martin Meehan (D-MA) has introduced HR 1059, the **Military Readiness Enhancement Act** in the House of Representatives; and

WHEREAS, the Government Accountability Office has found that the "Don't Ask, Don't Tell" policy led to the discharge of over 10,000 service members in its first ten years, including nearly 800 with "critical skills", of which 322 were linguists, in particular 54 Arabic and 9 Farsi translators, vitally important positions to intelligence gathering and in critical shortage, at a cost to taxpayers of more than \$200 million; and

WHEREAS, the Armed Forces are currently unable to meet their own recruiting goals, while at the same time they are preventing highly qualified and patriotic gay Americans from serving solely because of their sexual orientation; and

WHEREAS, the majority of American citizens – as reflected in multiple, recent public opinion polls – support keeping trained and skilled openly gay service members in the military.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA that it supports House Resolution 1059, the **Military Readiness Act** that is presently before the Congress.

BE IT FURTHER RESOLVED that the Congress is hereby respectfully urged to pass, and the President is respectfully urged to sign House Resolution 1059, the **Military Readiness Act**.

BE IT FINALLY RESOLVED that the City of Atlanta Municipal Clerk is hereby directed to transmit a copy of this Resolution to President George W. Bush and to all members of the United States Congress.

06-0-2142

(Do Not Write Above This Line)

AN ORDINANCE

BY *Walter H. Hester*

AN ORDINANCE AMENDING THE 2006 (INTERGOVERNMENTAL GRANT FUND) BUDGET, DEPARTMENT OF POLICE ("DEPARTMENT") BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF SEVENTY THOUSAND DOLLARS (\$70,000.00) FOR GRANT FUNDS FROM THE GEORGIA EMERGENCY MANAGEMENT AGENCY IN ORDER TO PURCHASE PORTABLE POLICE BARRICADES FOR HOMELAND SECURITY PREPAREDNESS; AND FOR OTHER PURPOSES.

First Reading

Committee _____
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Fav, Adv, Hold (see rev. side)

Other

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Fav, Adv, Hold (see rev. side)

Other

Members

Date Referred *Sept 18, 2006*

Referred To: *Public Safety*

Date Referred *Legal Affairs*

Referred To:

Date Referred

Referred To:

FINAL COUNCIL ACTION

☐ 2nd

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☐ 3rd

Readings

☐ Consent

☐ V Vote

☐ RC Vote

CERTIFIED

MAYOR'S ACTION

AN ORDINANCE
BY



AN ORDINANCE AMENDING THE 2006 (INTERGOVERNMENTAL GRANT FUND) BUDGET, DEPARTMENT OF POLICE ("DEPARTMENT") BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF SEVENTY THOUSAND DOLLARS (\$70,000.00) FOR GRANT FUNDS FROM THE GEORGIA EMERGENCY MANAGEMENT AGENCY IN ORDER TO PURCHASE PORTABLE POLICE BARRICADES FOR HOMELAND SECURITY PREPAREDNESS; AND FOR OTHER PURPOSES.

WHEREAS, the Department must be equipped with the proper tools to effectively manage large crowds and maintain public safety when necessary; and

WHEREAS, the Georgia Emergency Management Agency ("GEMA") has received funds from the United States Department of Homeland Security to provide grant funds to purchase portable police barricades for homeland security preparedness; and

WHEREAS, GEMA awarded the Department a grant in an amount not to exceed seventy thousand dollars (\$70,000.00) to purchase portable police barricades to effectively manage large crowds and maintain public safety.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That the 2006 (Intergovernmental Grant Fund) Budget, Department of Police, is hereby amended as follows:

ADD TO ANTICIPATIONS

1B02 J53X0210JCX0	Grant Reimbursement., Refunds, & Other Receipts	
432101	State Grants, Entitlements	\$70,000.00
	Total	\$70,000.00

ADD TO APPROPRIATIONS

1B02 X11T0790JCX0	Portable Police Barricades	
7*****	Appropriations	\$70,000.00
	Total	\$70,000.00

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

06-*R*-2143

(Do Not Write Above This Line)

A RESOLUTION

BY COUNCIL MEMBER JOYCE SHEPHERD

A RESOLUTION AUTHORIZING THE
CREATION OF A FORT McPHERSON
CITIZEN ADVISORY GROUP; AND FOR
OTHER PURPOSES.

First Reading

Committee _____
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Referred To _____

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- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred

Sept 18, 2006

Referred To:

CD/HJR

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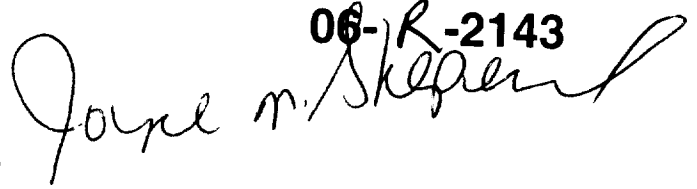
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CERTIFIED

FINAL COUNCIL ACTION

- ☐ 2nd
- ☐ 1st & 2nd
- ☐ 3rd
- ☐ Consent
- ☐ V Vote
- ☐ RC Vote

MAYOR'S ACTION

**A RESOLUTION****BY COUNCILMEMBER JOYCE SHEPERD****A RESOLUTION AUTHORIZING THE CREATION
OF A FORT McPHERSON CITIZEN ADVISORY
GROUP; AND FOR OTHER PURPOSES.**

WHEREAS, Fort McPherson Army Base in southwest Atlanta is important to the local economy by contributing more than \$250 million to metro Atlanta's economy; and

WHEREAS, Fort McPherson is scheduled to close in September 2011; and

WHEREAS, the closure will have a tremendous economic impact on the entire Southside; and

WHEREAS, local communities have about five years to work on redevelopment plans for the 488-acre historic army post; and

WHEREAS, the Atlanta City Council wishes to contribute to the planning initiatives and process for the redevelopment of Fort McPherson; and

WHEREAS, the Atlanta City Council desires to establish a Fort McPherson Citizen Advisory Group to advise the City of Atlanta on how to best use the land.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: There is hereby created a Fort McPherson Citizen Advisory Group, whose task shall be to research, explore, evaluate and identify the best, possible reuse scenarios for the Fort McPherson Army Base.

SECTION 2: The Advisory Group shall be comprised of twelve (12) members who shall be appointed as follows:

- a. One member designated by APAB
- b. One member each appointed by NPU's S, R and X
- c. One member from Sylvan Hill Neighborhood Association
- d. One member from Capitol View Neighborhood Association
- e. One member from Oakland City Neighborhood Association
- f. One member from Venetian Hills Neighborhood Association
- g. One member from Willow Brook Estate Neighborhood Association
- f. One member appointed by LRA
- g. A city attorney designated by Atlanta City Attorney
- h. City of Atlanta Planning Director or her designee

SECTION 3: The Fort McPherson Citizen Advisory Group will present a study with recommendations via a report to the Mayor and City Council no later than December 31, 2008, effectively ending the duty of the Advisory Group.

SECTION 4: All resolutions and parts of resolutions in conflict herewith are hereby repealed for purposes of the ordinance only, and only to the extent of the conflict.

06-0-2144

(Do Not Write Above This Line)

AN ORDINANCE
BY COUNCIL MEMBER JIM MADDOX
AN ORDINANCE AMENDING THE 2006/2007
(GENERAL FUND) NON-DEPARTMENTAL BUDGET IN
THE AMOUNT OF \$578,000.00 BY TRANSFERRING
FUNDS FROM THE NON-DEPARTMENTAL RESERVE
FOR APPROPRIATIONS ACCOUNT TO VARIOUS
ACCOUNTS OF THE PRESIDENT OF COUNCIL AND
CITY COUNCIL MEMBERS OPERATING BUDGET
AND FOR OTHER PURPOSES.

First Reading

Committee _____
Date _____
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Fav, Adv, Hold (see rev. side)
Other

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Members

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred Sept 18, 2006

Referred To: Finance / Executive

Date Referred

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CERTIFIED

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

MAYOR'S ACTION

AN ORDINANCE

BY COUNCIL MEMBER JIM MADDOX

AN ORDINANCE AMENDING THE 2006/2007
(GENERAL FUND) NON-DEPARTMENTAL
BUDGET IN THE AMOUNT OF \$578,000.00 BY
TRANSFERRING FUNDS FROM THE NON-
DEPARTMENTAL RESERVE FOR
APPROPRIATIONS ACCOUNT TO VARIOUS
ACCOUNTS OF THE PRESIDENT OF COUNCIL
AND CITY COUNCIL MEMBERS OPERATING
BUDGET; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF ATLANTA; as follows:

SECTION 1: That the 2006/2007 (General Fund) Non-Departmental Budget be and is
hereby amended as follows:

TRANSFER FROM APPROPRIATIONS

1A01 T11001	Reservation of Fund Appropriations	
729001	Reserve, Designated	\$578,000.00
TOTAL		<u>\$578,000.00</u>

TRANSFER TO APPROPRIATIONS

1A01 C*****	Council Member Accounts	
711004	Salaries, Perm. Part-Time	\$439,648.00
1A01 C*****	Council Member Accounts	
726002	Postal Expenses	\$56,000.00
1A01 C*****	Council Member Accounts	
729020	Council Member Expenses	\$82,352.00
TOTAL		<u>\$578,000.00</u>

SECTION 2: That the Chief Financial Officer or her designee is authorized to transfer the
appropriate amount including fringe benefits to President of Council and each council member's
operating budget.

SECTION 3: That all ordinances and parts of ordinances in conflict herewith be and the
same are hereby waived.

(Do Not Write Above This Line)

AN ORDINANCE
BY COUNCIL MEMBER NATALYN MOSBY
ARCHIBONG

AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA (THE "AUTHORITY") AND THE CITY OF ATLANTA PERTAINING TO THE PERFORMANCE OF CERTAIN PUBLIC IMPROVEMENTS BY THE AUTHORITY FOR THE BENEFIT OF THE CITY OF ATLANTA; TRANSFERRING APPROPRIATIONS IN THE AMOUNT OF \$1,500,000.00 TO FUND SAID PUBLIC IMPROVEMENTS; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 9-18-04

Referred To: F/E

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

CERTIFIED

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

MAYOR'S ACTION



AN ORDINANCE

BY COUNCIL MEMBER NATALYN MOSBY ARCHIBONG

AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA (THE "AUTHORITY") AND THE CITY OF ATLANTA PERTAINING TO THE PERFORMANCE OF CERTAIN PUBLIC IMPROVEMENTS BY THE AUTHORITY FOR THE BENEFIT OF THE CITY OF ATLANTA; TRANSFERRING APPROPRIATIONS IN THE AMOUNT OF \$1,500,000.00 TO FUND SAID PUBLIC IMPROVEMENTS; AND FOR OTHER PURPOSES.

WHEREAS, The Housing Authority of the City of Atlanta, Georgia (the "Authority") (together with its development partner, Capitol Gateway, LLC, a joint venture of Integral Properties, LLC, a Georgia limited liability company, TCR Georgia Housing Limited Partnership, and Urban Realty Partners) is engaged in the revitalization of the Capitol Homes public housing community ("Capitol Homes") into a new mixed-use, mixed-income community; and

WHEREAS, the revitalization includes the demolition of 694 distressed public housing rental units and related facilities and the redevelopment of Capitol Homes into a new master planned, mixed income, mixed finance, mixed use community, including approximately 857 onsite multifamily rental units of which approximately 32% will be reserved for public housing, approximately 45,000 sq. ft. in retail space, an early childhood learning facility, as well as approximately 90 newly constructed for-sale homes to be located off-site and 40 of which will be reserved and affordable for-sale to families who have graduated from the public housing or other AHA affordable housing programs with first priority to families who formerly lived at Capitol Homes and who otherwise qualify for homeownership; and

WHEREAS, Phase I of the revitalization of Capitol Homes includes 90 off-site single family for-sale homes and currently three homes are complete, including two market rate for-sale homes and one affordable for-sale home; and

WHEREAS, Phase II of the revitalization of Capitol Homes will encompass the redevelopment of the MLK Village rental property owned by the Ebenezer Charitable Foundation and located adjacent to Capitol Homes, which has received an allocation of Project Based housing choice vouchers and a Low Income Housing Tax Credit award from the State of Georgia, the phase includes 122 rental units designated for senior living and is currently under construction, scheduled for completion in December 2006; and

WHEREAS, Phase III of the revitalization of Capitol Homes is located on-site and includes 269 mixed income rental units currently under construction and is scheduled for completion in March 2007; and

WHEREAS, Phase IV of the revitalization of Capitol Homes is located on-site and includes 152 mixed income rental units, scheduled for a financial closing in October 2006; and

WHEREAS, the revitalization will include an array of social and economic development projects including retail, daycare, counseling, educational training and recreational activities; and

WHEREAS, the revitalization of this community is of enormous importance to the economic health of the City and the well-being of its residents; and

WHEREAS, as part of the revitalization of Capitol Homes, the City and the Authority have agreed that in order to support the development timetable set forth for the revitalization and simultaneously accomplish the City's long term goal for storm and sanitary sewer separation within the Intrenchment Creek Basin, the City has authorized the Authority to perform, on behalf of the City, the public improvements in the public right of way around and within Capitol Homes necessary to separate the existing combined sewers and also support the revitalization, as more fully described in the Public Improvements Budget attached as Exhibit A to be known as the 2006 Capitol Homes Revitalization Public Improvements (the "2006 Capitol Homes Revitalization Public Improvements"); and

WHEREAS, the City and the Authority are working together to develop plans for the 2006 Capitol Homes Revitalization Public Improvements supporting the revitalization of Capitol Homes; and

WHEREAS, the City and the Authority acknowledge and agree that the most efficient and economical manner in which to perform the 2006 Capitol Homes Revitalization Public Improvements is to have such work performed by the Authority (through its private sector development partners) and to have the City contribute \$1,500,000.00 to the Authority for the costs incurred or to be incurred by the Authority in performing such work; and

WHEREAS, the 2006 Capitol Homes Revitalization Public Improvements budget, work scope and design have been reviewed and developed with input from the City's Department of Watershed Management and the Department of Parks, Recreation and Cultural Affairs; and

WHEREAS, the City now wishes to make a contribution to the Authority for a portion of the cost of improvements to be paid from the 2006 Water and Wastewater Bond Fund Budget.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. The Mayor is authorized to enter into an intergovernmental agreement with the Authority for the construction of the 2006 Capitol Homes Revitalization Public Improvements.

Section 2. That the \$1,500,000.00 required funding for the 2006 Capitol Homes Revitalization Public Improvements was allocated in the 2006 Water and Wastewater Bond Fund Budget be transferred to the Authority.

Section 3. The City Attorney is authorized to prepare and review all necessary contractual agreements, and the Mayor is authorized to execute all necessary agreements after approval by the City Attorney as to form.

Section 4. Said agreements shall not be binding on the City until executed by the Mayor and delivered to the contracting party.

Section 6. The Chief Financial Officer be and is hereby authorized to make payment for said contractual agreements from the 2006 Water and Wastewater Bond Fund Budget in the aggregate amount not to exceed \$1,500,000.00. Said amount should be charged to and paid from Fund Account and Center Number 2J21-574001-Q38F073594DA.

AMENDED Execution Copy (2006 Capitol Homes Revitalization)

INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement (the "Agreement"), entered into as of the day of , 2006, by and between **The Housing Authority of the City of Atlanta, Georgia** (herein called the "Authority") and the **City of Atlanta, Georgia** (herein called the "City").

RECITALS

WHEREAS, The Housing Authority of the City of Atlanta, Georgia (the "Authority") (together with its development partner, Capitol Gateway, LLC, a joint venture of Integral Properties, LLC, a Georgia limited liability company, TCR Georgia Housing Limited Partnership, and Urban Realty Partners) is engaged in the revitalization of the Capitol Homes public housing community ("Capitol Homes") into a new mixed-use, mixed-income community; and

WHEREAS, the revitalization includes the demolition of 694 distressed public housing rental units and related facilities and the redevelopment of Capitol Homes into a new master planned, mixed income, mixed finance, mixed use community, including approximately 857 onsite multifamily rental units of which approximately 32% will be reserved for public housing, approximately 45,000 sq. ft. in retail space, an early childhood learning facility, as well as approximately 90 newly constructed for-sale homes to be located off-site and 40 of which will be reserved and affordable for-sale to families who have graduated from the public housing or other AHA affordable housing programs with first priority to families who formerly lived at Capitol Homes and who otherwise qualify for homeownership; and

WHEREAS, Phase I of the revitalization of Capitol Homes includes 90 off-site single family for-sale homes and currently three homes are complete, including two market rate for-sale homes and one affordable for-sale home; and

WHEREAS, Phase II of the revitalization of Capitol Homes will encompass the redevelopment of the MLK Village rental property owned by the Ebenezer Charitable Foundation and located adjacent to Capitol Homes, which has received an allocation of Project Based housing choice vouchers and a Low Income Housing Tax Credit award from the State of Georgia, the phase includes 122 rental units designated for senior living and is currently under construction, scheduled for completion in December 2006; and

WHEREAS, Phase III of the revitalization of Capitol Homes is located on-site and includes 269 mixed income rental units currently under construction and is scheduled for completion in March 2007; and

WHEREAS, Phase IV of the revitalization of Capitol Homes is located on-site and includes 152 mixed income rental units, scheduled for a financial closing in October 2006; and

WHEREAS, the revitalization will include an array of social and economic development projects including retail, daycare, counseling, educational training and recreational activities; and

WHEREAS, the revitalization of this community is of enormous importance to the economic health of the City and the well-being of its residents; and

WHEREAS, as part of the revitalization of Capitol Homes, the City and the Authority have agreed that in order to support the development timetable set forth for the revitalization and simultaneously accomplish the City's long term goal for storm and sanitary sewer separation within the Intrenchment Creek Basin, the City has authorized the Authority to perform, on behalf of the City, the public improvements in the public right of way around and within necessary to separate the existing combined sewers and also support the revitalization, as more fully described in the Public Improvements Budget attached as Exhibit A to be known as the 2006 Capitol Homes Revitalization Public Improvements (the "2006 Capitol Homes Revitalization Public Improvements"); and

WHEREAS, the City and the Authority are working together to develop plans for the 2006 Capitol Homes Revitalization Public Improvements supporting the revitalization of Capitol Homes; and

WHEREAS, the City and the Authority acknowledge and agree that the most efficient and economical manner in which to perform the 2006 Capitol Homes Revitalization Public Improvements is to have such work performed by the Authority (through its private sector development partners) and to have the City contribute \$1,500,000 to the Authority for the costs incurred or to be incurred by the Authority in performing such work; and

WHEREAS, the City now wishes to make a contribution to the Authority for a portion of the cost of improvements to be paid from the 2006 Water and Wastewater Bond Fund Budget; and

WHEREAS, subject to the terms and conditions set forth herein, the City and the Authority have agreed that the Authority (through its private development partners) would perform the 2006 Capitol Homes Revitalization Public Improvements on behalf of the City, and the City desires to accept such offer and contribute the funds to the Authority for the 2006 Capitol Homes Revitalization Public Improvements.

NOW, THEREFORE, in consideration of ten dollars (\$10) and the mutual agreements and covenants hereinafter set forth and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, the parties hereto hereby agree as follows:

1. City Legislation and Funding. The City hereby acknowledges and agrees that pursuant to Ordinance No. _____, adopted by the City Council on _____ and approved by the Mayor on _____, that the Mayor is authorized to execute this Agreement. (Copy of Ordinance No. _____ is attached).

2. Performance of Work; Inspection. The City hereby authorizes the Authority and its contractors and the Authority hereby agrees to perform or cause its contractors to perform the 2006 Capitol Homes Revitalization Public Improvements work on behalf of the City. The Authority shall cause an independent inspecting engineer to periodically inspect the 2006 Capitol Homes Revitalization Public Improvements work and confirm that the relevant portion of the public improvements has been satisfactorily completed. The Authority shall cause a copy of such report to be delivered to the City's Department of Public Works and Department of Watershed Management. Upon completion of all of the 2006 Capitol Homes Revitalization Public Improvements work, the Authority shall cause said inspecting engineer to deliver a final report which complies with the specifications required by the City's Department of Public Works to the City's Department of Public Works and Department of Watershed Management confirming that the 2006 Capitol Homes Revitalization Public Improvements work was completed satisfactorily.

3. Contribution by the City.

a. Contribution. The City hereby agrees to contribute to the Authority an amount equal to \$1,500,000 (the "Contribution") for the cost of performing the 2006 Capitol Homes Revitalization Public Improvements work. The City shall make such contribution as soon as practicable, but in no event later than July 31, 2007 (the "Commitment Date"). The City acknowledges that its commitment to provide sufficient funding for the public improvements required to support the revitalization of Capitol Homes is clearly established in Ordinance _____ approving the 2006 Water and Wastewater Bond Fund Budget which includes \$1,500,000 for improvements needed to support the 2006 Capitol Homes Revitalization Public Improvements.

b. Acknowledgment of Purpose of the Contribution. The City hereby acknowledges that the purpose of the Contribution is to make a contribution to the Authority to pay the cost of performing the 2006 Capitol Homes Revitalization Public Improvements work. The Authority (through its private sector development partners) will be performing such work on behalf of the City. The Authority through its private sector development partners has become financially obligated to contractors, and will be affected by deadlines concerning the construction of the 2006 Capitol Homes Revitalization Public Improvements. If the Authority has not received the Contribution by the Commitment Date, then the Authority will be at risk for becoming liable for, or subject to liens, fines and penalties and other monetary damages in connection with unpaid construction costs incurred with respect to the 2006 Capitol Homes Revitalization Public Improvements. Accordingly, the City agrees to indemnify and hold harmless the Authority from any damages, losses, expenses, liens, penalties or fines incurred or that are placed in existence by reason of the City's failure to provide fully and timely the Contribution to the Authority as provided in the above-paragraph.

c. Refund to the City. The Authority and the City hereby acknowledge that the cost of performing the 2006 Capitol Homes Revitalization Public Improvements work may exceed

\$1,500,000. The Authority and the City further acknowledge that the cost of public improvements for all phases of public improvements work related to the 2006 Capitol Homes Revitalization is likely to exceed contributions from the City. Accordingly, the Authority and the City agree as follows: (1) the excess contribution on any phase will first be used to offset cost overruns on other phases, and (2) if the cost of the public improvements for all phases of the Capitol Homes redevelopment does not exceed the total contributions from the City for such public improvements, then the Authority shall refund to the City all unexpended funds. The City acknowledges that it owns and has responsibility for furnishing and performing the 2006 Capitol Homes Revitalization Public Improvements. The Authority is willing to perform the 2006 Capitol Homes Revitalization Public Improvements under the terms and conditions of this Agreement.

4. Dedication of Public Improvements to City. The City and the Authority hereby acknowledge that the revitalization of Capitol Homes is being accomplished in five or more phases. At such time as the revitalization of Capitol Homes is complete, or at such earlier time as may be practicable given the construction schedule for the 2006 Capitol Homes Revitalization Public Improvements, the Authority, as appropriate, shall cause the 2006 Capitol Homes Revitalization Public Improvements work to be dedicated to the City, and the City shall accept such dedication, subject to the improvements being completed in accordance with City standards.

5. Miscellaneous.

a. Insurance. The Authority and its contractors shall maintain such property, casualty, fire, hazard and liability insurance as the City may reasonably require and on all such insurance policies, the City shall be named as an additional insured as its interests may appear. The Authority and the City hereby acknowledge that the cost of such insurance will be considered a cost of the 2006 Capitol Homes Revitalization Public Improvements.

b. Indemnity. To the extent that the Authority is the beneficiary of any warranties, representations or indemnifications made by any contractor, subcontractor or supplier in connection with the 2006 Capitol Homes Revitalization Public Improvements work, the Authority agrees to indemnify and hold harmless the City, its officers, agents and employees from any and all losses, expenses, demands and claims (collectively, "Losses") against the City, its officers, agents and employees sustained or alleged to have been sustained in connection with or as a result from the gross negligence or willful misconduct of the Authority in performing the 2006 Capitol Homes Revitalization Public Improvements work; provided, that any claim for indemnification must be submitted to the Authority within thirty (30) days of the date on which the City's Department of Law becomes aware that a Loss is sustained or alleged to be sustained by the City. The City hereby agrees to cause the Department of Law to notify the Authority in the manner described in Section 5.f hereof on the date that the Department of Law becomes aware of a sustained or alleged Loss. The City hereby acknowledges that the Authority is acting as an Agent in this instance and agrees that the indemnification provided above is limited solely to the indemnification provided to the Authority by contractors, subcontractors or suppliers who perform such work. The parties agree that any indemnification or obligation to indemnify under this paragraph is expressly limited to any insurance

proceeds received by the Authority from liability insurance required under this Agreement and to any amounts received by the Authority from contractors, subcontractors or suppliers as a result of warranties, representations and indemnifications. In the event it is determined that a Loss which was alleged to have been sustained by the City was not actually sustained, the City shall refund any amounts paid to it by the Authority or on behalf of the Authority pursuant to this Section 5.b, to the Authority. This indemnification shall expire two years from the date of the completion of the 2006 Capitol Homes Revitalization Public Improvements work.

c. Contract Budget. Funds of the contract budget may be shifted between water and sewer eligible line items of the 2006 Capitol Homes Revitalization Public Improvements Budget with advance written approval by the City through the Commissioner of Watershed Management.

d. Monitoring Activities. The Authority agrees that the City may carry out inspection, monitoring, evaluation and auditing activities concerning the performance of the 2006 Capitol Homes Revitalization Public Improvements work as the City deems reasonably necessary, provided that City gives reasonable advance notice to the Authority.

e. Records. The Authority and its contractors shall maintain such records and accounts related to the 2006 Capitol Homes Revitalization Public Improvements as are deemed reasonably necessary by the City, and the Authority, upon receipt of five business days prior written notice from the City, shall permit representatives of the City, at the City's sole cost and expense, to have full access to and the right to examine any books, documents, papers and records involving the performance of the Work during normal business hours at the Authority's central office. The Authority's obligation to maintain such records and accounts and the City's right to examine any books, records or other documents shall expire two years after the date of this Agreement.

f. Notices. Notices and reports described herein shall be delivered or sent to the parties as follows.

To the Authority:

President and Chief Executive Officer
The Housing Authority of the City of Atlanta, Georgia
230 John Wesley Dobbs Avenue, N.E.
Atlanta, Georgia 30303-2421
Fax: 404-332-0100
Tel: 404-817-7463

With a copy to:

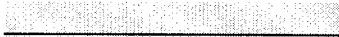
General Counsel and Chief Legal Officer
Office of General Counsel
The Housing Authority of the City of Atlanta, Georgia
230 John Wesley Dobbs Avenue, N.E.
Atlanta, Georgia 30303-2421

Fax: 404-332-0104
Tel: 404-817-7293

To the City:

Commissioner
Department of Watershed Management
55 Trinity Avenue, S.W.
Suite 5400
Atlanta, Georgia 30335-0310
Fax: 404-658-7194
Tel: 404-330-6081

With a copy to:


Suite 4100, City Hall Tower
68 Mitchell Street, S.W.
Atlanta, Georgia 30335-0332
Fax: 404-658-6894
Tel: 404-330-6400

g. Severability. If any term or other provision of this Agreement is invalid, illegal or incapable of being enforced by any law or by reason of public policy, all other conditions and provisions of this Agreement shall nevertheless remain in full force and effect so long as the economic or legal substance of these transactions contemplated hereby is not affected in any manner materially adverse to either party.

h. Entire Agreement; Amendment; Waiver; Counterparts. This Agreement constitutes the entire agreement between the parties; it supersedes any prior agreement or understandings between them, oral or written, with respect to the matters addressed herein, all of which are hereby canceled. This Agreement may not be amended or modified except by an instrument in writing signed by both parties hereto. Waiver of any term or condition of this Agreement shall be effective if in writing and shall not be construed as a waiver of any subsequent breach or waiver of the same term or condition, or a waiver of any other term or condition of this Agreement. This Agreement may be executed in one or more counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same agreement.

IN WITNESS WHEREOF, the City and the Authority have executed this Agreement and caused their seals to be affixed and attested as of the day and year first above written.

THE HOUSING AUTHORITY OF
CITY OF ATLANTA, GEORGIA

By: _____ (SEAL)
Renée Lewis Glover
President and Chief Executive Officer

Attest:

Assistant Secretary

CITY OF ATLANTA, GEORGIA

By: _____ (SEAL)
Mayor

Attest:

Recommended:

Municipal Clerk

Chief Operating Officer

Approved as to Form:

Chief Financial Officer

City Attorney

Commissioner, Department of Watershed
Management

CAPITOL GATEWAY PUBLIC IMPROVEMENTS AND INFRASTRUCTURE FUNDING ALLOCATIONS

TOTAL AVAILABLE FUNDING TO DATE \$6,869,370.00 \$4,659,312.74 \$495,000.00 \$1,980,000.00 \$450,000.00

PHASE I (Blocks A, B, C, and partial D)

LINE ITEM	AMOUNT	FUNDING SOURCE	WSBF ALLOCATION	EASTSIDE TAD ALLOCATION	LCI MATCHING FUND ALLOCATION	STATE LCI ALLOCATION	QUALITY OF LIFE ALLOCATION
Storm Sewer	\$1,540,373.00	WSBF	\$1,540,373.00				
Sanitary Sewer	\$1,282,229.00	WSBF	\$1,282,229.00				
Water	\$1,289,803.00	WSBF	\$1,289,803.00				
Sidewalks, Curb & Gutter	\$614,528.00	TAD & QOL		\$538,091.00			\$76,437.00
Streetscape & Landscape	\$502,174.00	TAD & QOL		\$252,174.00			\$250,000.00
Lighting	\$317,803.00	TAD		\$317,803.00			
Overhead Utility Relocation - Phase I	\$323,895.00	TAD		\$323,895.00			
Overhead Utility Relocation - Future Phase	\$331,030.00	TAD		\$331,030.00			
TOTAL	\$6,201,835.00		\$4,112,405.00	\$1,762,993.00	\$0.00	\$0.00	\$326,437.00

Funding Source Balance \$2,756,965.00 \$2,896,319.74 \$495,000.00 \$1,980,000.00 \$123,563.00

PHASE II (Blocks F and partial D & G) Including Combined Sewer Relocation

LINE ITEM	AMOUNT	FUNDING SOURCE	WSBF ALLOCATION	EASTSIDE TAD ALLOCATION	LCI MATCHING FUND ALLOCATION	STATE LCI ALLOCATION	QUALITY OF LIFE ALLOCATION
Storm Sewer	\$3,019,055.12	WSBF	\$3,019,055.12				
Sanitary Sewer	\$151,942.16	WSBF	\$151,942.16				
Water	\$221,690.57	WSBF	\$221,690.57				
Sidewalks, Curb & Gutter	\$293,310.01	TAD		\$293,310.01			
Streetscape & Landscape	\$283,651.13	QOL		\$160,088.13			\$123,563.00
Lighting	\$201,403.00	TAD		\$201,403.00			
Overhead Utility Relocation	\$175,588.54	TAD		\$175,588.54			
TOTAL	\$4,346,640.53		\$3,392,687.85	\$830,389.68	\$0.00	\$0.00	\$123,563.00

Funding Source Balance (\$635,722.85) \$2,065,930.06 \$495,000.00 \$1,980,000.00 \$0.00

PHASE III (Blocks G) Above Ground Water Feature

LINE ITEM	AMOUNT	FUNDING SOURCE	WSBF ALLOCATION	EASTSIDE TAD ALLOCATION	LCI MATCHING FUND ALLOCATION	STATE LCI ALLOCATION	QUALITY OF LIFE ALLOCATION
Storm Sewer	\$1,106,803.31	WSBF	\$1,106,803.31				
Sanitary Sewer	\$44,945.99	WSBF	\$44,945.99				
Sidewalks, Curb & Gutter	\$98,883.41	WSBF	\$98,883.41				
Streetscape & Landscape	\$446,708.15	WSBF	\$446,708.15				
TOTAL	\$1,697,340.85		\$1,697,340.85	\$0.00	\$0.00	\$0.00	\$0.00

Funding Source Balance (\$2,333,063.70) \$2,065,930.06 \$495,000.00 \$1,980,000.00 \$0.00

PHASE IV (Blocks E, H & I)

LINE ITEM	AMOUNT	FUNDING SOURCE	WSBF ALLOCATION	EASTSIDE TAD ALLOCATION	LCI MATCHING FUND ALLOCATION	STATE LCI ALLOCATION	QUALITY OF LIFE ALLOCATION
Storm Sewer	\$1,538,097.24	WSBF	\$1,538,097.24				
Sanitary Sewer	\$116,909.40	WSBF	\$116,909.40				
Water	\$170,515.13	WSBF	\$21,060.85		\$149,454.29		
Sidewalks, Curb & Gutter	\$371,733.53	TAD & LCI		\$237,909.46	\$22,304.01	\$111,520.06	
Streetscape & Landscape	\$277,095.24	TAD & LCI		\$177,340.95	\$16,625.71	\$83,128.57	
Lighting	\$247,532.55	TAD & LCI		\$158,420.83	\$14,851.95	\$74,259.77	
Overhead Utility Relocation	\$204,774.65	TAD & LCI		\$131,055.78	\$12,286.48	\$61,432.40	
TOTAL	\$2,926,657.74		\$1,676,067.49	\$704,727.02	\$215,522.44	\$330,340.79	\$0.00

Funding Source Balance (\$4,009,131.19) \$1,361,203.04 \$279,477.56 \$1,649,659.21 \$0.00

PHASE V (Memorial Drive Between Capital Ave and Connally Street)[†]

LINE ITEM	AMOUNT	FUNDING SOURCE	WSBF ALLOCATION	EASTSIDE TAD ALLOCATION	LCI MATCHING FUND ALLOCATION	STATE LCI ALLOCATION	QUALITY OF LIFE ALLOCATION
Storm Sewer	\$221,742.99	WSBF	\$221,742.99				
Sanitary Sewer	\$36,226.60	WSBF	\$36,226.60				
Water	\$222,757.34	WSBF	\$222,757.34				
Sidewalks, Curb & Gutter	\$552,412.12	TAD & LCI		\$272,934.57			
Streetscape & Landscape	\$1,821,955.45	TAD & LCI		\$172,296.25	\$279,477.56	\$1,649,659.21	
Lighting	\$150,383.50	TAD		\$150,383.50			
Overhead Utility Relocation	\$765,588.73	TAD		\$765,588.73			
TOTAL	\$3,771,066.73		\$480,726.93	\$1,361,203.04	\$279,477.56	\$1,649,659.21	\$0.00

Funding Source Balance (\$4,489,858.12) \$0.00 \$0.00 \$0.00 \$0.00

Total Phase I, II, III & IV Budget \$18,943,540.85 \$11,359,228.12 \$4,659,312.74 \$495,000.00 \$1,980,000.00 \$450,000.00

[†] Includes improvements to areas outside of north curb to inside of south curb

CAPITOL GATEWAY PUBLIC IMPROVEMENTS AND INFRASTRUCTURE FUNDING ALLOCATIONS

FUNDING SOURCE LEGEND	Applicable Use of Funds	WSBF	EASTSIDE TAD	LCI MATCH	STATE LCI	QUALITY OF LIFE
Water / Sewer Bond Fund (WSBF)	upgrade water & wastewater system					
2J28 774001 Q38103229999 AHA	(available 1st quarter 2005)	\$1,333,958.00				
2J28 774001 Q38103229999 AHA	(available 1st quarter 2005)	\$4,035,412.00				
2J21 574001 Q38F073594DA AHA	(available 3rd quarter 2006)	\$1,500,000.00				
Total Water / Sewer Bond Fund		\$6,869,370.00				
State - LCI (Livable Centers Initiative)	landscaping, trees, sidewalks & beautification					
	Preliminary Engineering (available 06/05)				\$190,000.00	
	Construction (available 03/06)				\$1,790,000.00	
Total State LCI Fund					\$1,980,000.00	
State - LCI Matching Funds	landscaping, trees, sidewalks & beautification					
	25% Matching Funds (Redistributed TAD Funds)			\$495,000.00		
Total State LCI Matching Fund				\$495,000.00		
COA - Eastside TAD (Funds available 3rd quarter 2005)	street, public transportation, water, parks & storm water					
	25% LCI Matching Funds	\$5,300,000.00				
	ADA Administrative Fee (cost covered in Sidewalks, Curb & Gutter item of phase I)	(\$495,000.00)				
		(\$145,687.26)				
Total COA - Eastside TAD Fund		\$4,659,312.74				
COA - Quality of Life (Funds available 2nd quarter 2005)	streetscape, sidewalks & street reconstruction					
	street reconstruction					\$250,000.00
	streetscape & sidewalks					\$200,000.00
Total COA - Quality of Life Fund						\$450,000.00
Total Appropriated Funds To Date	\$14,453,682.74	\$6,869,370.00	\$4,659,312.74	\$495,000.00	\$1,980,000.00	\$450,000.00

ESTIMATE FUNDING REQUIREMENTS	Applicable Use of Funds	WSBF	EASTSIDE TAD	LCI MATCH	STATE LCI	QUALITY OF LIFE
PHASE I	\$6,201,835.00 2nd Quarter, 2005	\$4,112,405.00	\$1,762,993.00	\$0.00	\$0.00	\$326,437.00
PHASE III	\$1,697,340.85 1st Quarter, 2006	\$1,697,340.85	\$0.00	\$0.00	\$0.00	\$0.00
PHASE II	\$4,346,640.53 1st Quarter, 2006	\$3,392,687.85	\$830,389.68	\$0.00	\$0.00	\$123,563.00
PHASE IV	\$2,926,657.74 1st Quarter, 2007	\$1,676,067.49	\$704,727.02	\$215,522.44	\$330,340.79	\$0.00
Total Phase I, II, III, & IV	\$15,172,474.12	\$10,878,501.19	\$3,298,109.70	\$215,522.44	\$330,340.79	\$450,000.00
Total Required Funding Balance	(\$718,791.38)	(\$4,009,131.19)	\$1,361,203.04	\$279,477.56	\$1,649,659.21	\$0.00